

Message Text

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E.O. 11652: GDS
TAGS: EEWT, ETRD, SHUM, RO
SUBJECT: POSSIBLE CONGRESSIONAL INTEREST IN REVISED ROMANIAN
ASSURANCES DURING TRADE AGREEMENT RENEWAL PROCESS

1. SUMMARY: DEPARTMENT SHOULD BE ALERT TO INTEREST IN REVAMPED OR UPDATED ASSURANCES CONCERNING ROMANIAN EMIGRATION EXPRESSED DURING GARMISCH EC COUNSELORS' MEETING BY SENATE FINANCE AND HOUSE WAYS AND MEANS COMMITTEE STAFFERS. INTEREST BASED ON OVERALL DISSATISFACTION WITH ROMANIAN HUMAN RIGHTS PERFORMANCE, BUT EVEN MORE ON FACT THAT ORIGINAL REFERENCE TO 1973 JOINT DECLARATION HAD SEEMED "69,-CONTEMPORARY" EVEN IN 1975, WHEN TRADE AGREEMENT PASSED, AND WILL SEEM EVEN MORE SO NOW. STAFFERS MADE CLEAR RIBICOFF IS KEY, AND THEY EXPECT AGREEMENT/WAIVER TO PASS THIS TIME WITHOUT TROUBLE; THEY ALSO SEEMED SYMPATHETIC TO STATE/EMBASSY ARGUMENTS THAT ROMANIANS WOULD NOT UNDERSTAND OUR RAISING ISSUE NOT RAISED DURING CEAUSESCU VISIT AT THIS LATE DATE. SENATE FINANCE STAFFER CASSIDY SAID HE PLANNED TO RAISE QUESTION WITH RIBICOFF ON HIS RETURN MAY 8 AND CALL LUERS OR ANDREWS IF FURTHER ACTION SEEMS CALLED FOR. WE RECOMMEND DEPARTMENT TAKE LINE THAT PROPER CONTEXT FOR REVISION DISCUSSION WILL ARISE NEXT YEAR, DURING CAMPAIGN FOR LONGER WAIVER REVIEW PERIOD, RATHER THAN NOW, WHEN TIME IS SHORT AND GOR WILL
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MISREAD U.S. INTENTIONS. IF CASSIDY PERSISTS, HOWEVER, AND HAS SERIOUS BACKING AMONG MEMBERS, DEPARTMENT MAY WISH TO CONSIDER UNILATERAL REFERENCE TO 1978 JOINT DECLARATION IN PRESIDENT'S MESSAGE TO CONGRESS ON ASSURANCES, IN CONTEXT OF SIMPLE

UPDATING AND AFTER APPROPRIATE CONSULTATION WITH ROMANIAN EMBASSY. END SUMMARY.

2. DEPARTMENT SHOULD BE ALERT TO POSSIBILITY THAT MEMBERS OR STAFFERS OF CONGRESSIONAL COMMITTEES DEALING WITH ROMANIAN TRADE ACT RENEWAL/MFN WAIVER ISSUES MAY SUGGEST UPDATING OR EVEN REVAMPING OF ASSURANCES DURING PROCESS.

3. AT GARMISCH EC COUNSELORS' CONFERENCE SESSION MAY 3, SENATE FINANCE COMMITTEE CHIEF MAJORITY ECONOMIST ROBERT CASSIDY THREW OUT IDEA THAT COMMITTEE MEMBERS MIGHT SEEK UPDATING OF ROMANIAN/PRESIDENTIAL ASSURANCES CONCERNING ROMANIAN EMIGRATION INTENTIONS. BACKGROUND WAS DISSATISFACTION EXPRESSED DURING TRADE AGREEMENT PASSAGE PROCESS IN 1975 NOT ONLY OVER GENERAL ROMANIAN PERFORMANCE IN HUMAN RIGHTS FIELDS BUT OVER FACT THAT ASSURANCES GIVEN REFERRED TO NON-CONTEMPORARY DOCUMENT, I.E. 1973 JOINT DECLARATION. HWMC PROFESSIONAL ASSISTANT (FOR TRADE) DAVID ROHR PICKED UP ON IDEA, NOTING SAME KINDS OF DISSATISFACTION HAD BEEN EXPRESSED ON HOUSE SIDE AT THAT TIME.

4. IN SUBSEQUENT DISCUSSION INVOLVING EUR/EE DEPUTY DIRECTOR SCHMIDT, H STAFFER PAUL STAHNKE AND EMBASSY BUCHAREST DCM AND EC COUNSELOR, AS WELL AS FINANCE COMMITTEE MINORITY CHIEF COUNSEL GEORGE PRITTS IN ADDITION TO CASSIDY ON CONGRESSIONAL SIDE, CASSIDY MADE CLEAR IDEA OF REVAMPING/UPDATING ASSURANCES HAD NO STATUS UNTIL HE RETURNED TO WASHINGTON AND RAISED IT WITH RIBICOFF. FURTHER, BOTH HE AND PRITTS EXPECTED RENEWAL/ CONFIDENTIAL

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WAIVER TO SAIL SUCCESSFULLY THROUGH COMMITTEES AND HOUSES, DESPITE ANY DISSATISFACTION EXPRESSED, FOR OVERRIDING POLITICAL REASONS WHICH HAD BEEN RESPONSIBLE FOR 1975 PASSAGE AND SUBSEQUENT WAIVER RENEWALS.

5. STATE AND EMBASSY REPS (LATTER WITH CAVEAT THEY COULD NOT SPEAK FOR AMBASSADOR) STRESSED THEIR UNDERSTANDING THAT QUESTION OF REVAMPING/UPDATING HAD NOT ARISEN DURING RECENT CEAUSESCU VISIT, AND EXPRESSED VIEW THAT RAISING IT AT THIS LATE DATE WOULD COME AS NASTY SURPRISE TO ROMANIANS, AND WOULD IN ALL LIKELIHOOD BE TAKEN, INACCURATELY, AS NEGATIVE SIGNAL CONCERNING U.S. INTENTIONS FOLLOWING OUTSTANDINGLY SUCCESSFUL VISIT. THEY ALSO SUGGESTED THAT IF QUESTION WERE RAISED AT ALL, IT SHOULD BE IN CONTEXT OF CONTEMPORANEITY, I.E. UPDATING FROM 1973 DECLARATION, AND THAT DISCUSSION OF ASSURANCES LIKELY TO HAVE MORE EFFECT AND IMPACT IN CONTEXT OF ROMANIAN CAMPAIGN FOR LONGER WAIVER REVIEW PERIOD WHICH IS LIKELY TO GIN UP AGAIN NEXT YEAR. WITH REGARD TO UPDATING, THEY POINTED OUT THAT JOINT DECLARATION SIGNED DURING CEAUSESCU VISIT IN FACT CONTAINS TWO RELEVANT PASSAGES--HELSINKI FINAL ACT HUMAN RIGHTS PRINCIPLE AND SPECIFIC MENTION OF FAMILY REUNIFICATION--AND REFERENCE TO THEM WAS LIABLE TO PROVIDE

MOST FRICTIONLESS CHANGE IN ASSURANCE FORMULA IF ONE WERE
NEEDED.

6. AS MATTER WAS LEFT, CASSIDY SAID HE INTENDED TO RAISE
QUESTION ON HIS RETURN TO WASHINGTON MAY 8 WITH RIBICOFF,
WHOM HE DESCRIBED (AND PRITTS CONFIRMED) AS KEY FINANCE
COMMITTEE MEMBER, WHOSE VIEWS OTHERS WOULD FOLLOW, AND THEN
CALL LUERS OR ANDREWS IN EUR IF FURTHER ACTION SEEMED CALLED
FOR.

7. COMMENT AND RECOMMENDATION. AT THIS POINT IT IS NOT CLEAR
THAT MORE IS INVOLVED THAN BRAINCHILD OF CONGRESSIONAL STAFFER,
AND CASSIDY (AS WELL AS PRITTS AND ROHR) SEEMED SYMPATHETIC
TO ARGUMENTS SET FORTH IN PARA 5 ABOVE. IF CASSIDY RAISES
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ISSUE WITH EUR, WE SUGGEST DEPARTMENT TAKE LINE THAT COMBI-
NATION OF TIMING CONSTRAINT, FACT THAT ISSUE NOT RAISED DURING
CEAUSESCU VISIT AND LIKELIHOOD THAT ROMANIANS WILL PLACE
WRONG CONSTRUCTION ON MOTIVES MAKE IT INADVISABLE TO RAISE
ISSUE NOW, BUT THAT ISSUE SHBLD DEFINITELY BE RAISED IN
CONTEXT OF DISCUSSIONS OVER LONGER REVIEW PERIOD WHICH WE
ANTICIPATE FOR NEXT YEAR. IF CASSIDY PERSISTS, HOWEVER, AND
APPEARS TO HAVE SERIOUS BACKING IN COMMITTEES OF EITHER HOUSE,
DEPARTMENT MAY WISH TO CONSIDER INSERTING REFERENCE TO 1978
JOINT DECLARATION IN PRESIDENT'S MESSAGE TO CONGRESS CONCERNING
ASSURANCES, ON UNILATERAL BASIS, BUT AFTER APPROPRIATE CON-
SULTATION WITH ROMANIAN EMBASSY. AS WE SEE IT, THERE IS NO
HOPE AT THIS LATE DATE OF NEGOTIATING NEW FORM OF ASSURANCES
FROM GOR, AND THIS SHOULD ALSO BE MADE CLEAR TO CASSIDY.
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